

Appl. No. 09/877,928
Response Dated August 23, 2005
Reply to Office Action of June 9, 2005

REMARKS

Claims 1-18 are pending in this application. Claims 1, 8, and 15 have been amended. No new matter has been added. Favorable reconsideration and allowance of the pending claims are respectfully requested.

Applicants have amended the independent claims in order to expedite prosecution on the merits. In particular, independent claim 1 has been amended to recite "establishing a second connection to retrieve said information; detecting that said first connection is terminated prior to retrieval of said information; retrieving said information over said second connection."

Independent claim 8 has been amended to recite "sending said first request over a second connection to a third network node; receiving a notice that said first connection is terminated prior to retrieval of said information; receiving said information over said second connection at said second network node."

Independent claim 15 has been amended to recite "establishing a second connection to retrieve said information, detecting that said first connection is terminated prior to retrieval of said information, retrieving said information over said second connection."

Claims 1, 5, 7, 8, 12, 14, 15, and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Number (USPN) 6,421,733 to Tso et al. ("Tso"). Applicants respectfully traverse the rejection.

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Applicants submit that independent claims 1, 8, and 15, as amended, recite patentable subject matter. Applicants submit that claims 1, 8, and 15 are allowable for at least this reason and that claims 5, 7, 12, 14, and 18 are allowable by virtue of their dependency, as well as on their own merits. Accordingly, removal of the § 102(e) rejection of claims 1, 5, 7, 8, 12, 14, 15, and 18 is requested.

Claims 2-4, 9-11, 16, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tso. Applicants respectfully traverse the rejection.

For at least the reasons set forth above, Applicant submits that independent claims 1, 8, and 15 are allowable and that dependent claims 2-4, 9-11, 16, and 17 are allowable by virtue of their dependency, as well as on their own merits. Accordingly, removal of the § 103(a) rejection of claims 2-4, 9-11, 16, and 17 is requested.

Applicants do not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicants hereby reserve the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

It is believed that claims 1-18 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-3387 to discuss any matter concerning this application.

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The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2666.

Respectfully submitted,

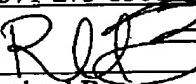
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at:

Fax No.: 571-273-8300

Signature 

Rachael Brown

8/23/05

Date

Dated: August 23, 2005

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